

Cast your votes.

Has every delegate voted? Does any delegate desire to change his vote?

*(There was no response.)*

The Clerk will record the vote.

There being 16 votes in the affirmative and 108 in the negative, the motion is lost. The amendment is rejected.

Delegate James, is your amendment printed?

Pages will distribute Amendment AO. This will be Amendment No. 23.

The Clerk will read the amendment.

READING CLERK: Amendment No. 23 to Committee Recommendation R&P-1, by Delegates James, and J. Clark. On page 4, section —, Right to Organize and Bargain Collectively, as amended by Amendment No. 21 in line 10 of the amendment after the word "choosing" add the following words: ", subject to such regulations as the General Assembly may prescribe by law."

THE CHAIRMAN: The amendment having been proposed by Delegate James and seconded by Delegate James Clark, the Chair recognizes Delegate James.

DELEGATE JAMES: Mr. Chairman and fellow delegates, first let me say that this amendment is offered in full acceptance of the decision of the majority here that the right of collective bargaining be recognized as a constitutional right and that this amendment is not offered in any sense to diminish or to erode the constitutional right of collective bargaining.

Nevertheless, there are some problems in connection with the bald statement of the language adopted by the Committee of the Whole.

The language is "the employees shall have the right to organize and bargain collectively through representatives of their own choosing."

Now, from the standpoint of the State of Maryland, especially, and I am directing my attention to that particularly, what does this mean? Does this mean that any group of state employees can insist upon bargaining, no matter how small that unit?

Suppose the welfare department workers decided to create a union to bargain with the State. Suppose the employees of the State of Maryland do this. Suppose the institutional workers, the custodial work-

ers at the mental and penal institutions decide to create a union.

Should not the State have the right to decide how far this recognition should go, whether it should be a recognition of a union of the industrial type, shall we say, which will include all the state employees or should not the State have a right to say?

Now, this would not be fair, we should to some extent recognize the craft idea and that those people who are in specialized areas such as those in the custodial institutions should have the right to a separate union.

There are all sorts of things here that should be devolved by an appropriate statute and this would give the State the procedural power to say that this right may be exercised in an orderly manner.

In a private sector I can see that the State should also have the same power that is exercised by the federal government in adjusting labor relations in full recognition of the power of collective bargaining. We submit this is a serious amendment, not with the intention of eroding the original language but simply with the intention of recognizing that the legislature can lay down rules and regulations for a reasonable exercise of the right.

THE CHAIRMAN: Are there any questions of the sponsor of the amendment?

Delegate Beatrice Miller.

DELEGATE B. MILLER: Delegate James, do you yield to a question?

THE CHAIRMAN: Delegate James.

DELEGATE JAMES: Yes.

THE CHAIRMAN: Delegate Beatrice Miller.

DELEGATE B. MILLER: The explanation that Senator James gives is partially acceptable, but I am very worried whether the explanation of intent is different from what this resolution proposes and I wonder if he would accept a modification or a change in his wording, something to the effect that the right to collective bargaining and organization is recognized, and that the General Assembly may pass such regulations as it sees fit?

THE CHAIRMAN: Delegate James.

DELEGATE JAMES: I hope that the language did this. Now, if better language can be adopted, we would be willing to accept it.